

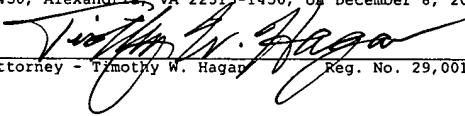
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Bott et al.  
Serial No. : 10/576,356  
Filed : April 17, 2006  
Title : PREPARATIONS FOR TOPICAL APPLICATION AND METHODS OF  
DELIVERING AN ACTIVE AGENT TO A SUBSTRATE  
Docket : DOG 0101 PA/35319.68  
Confirm. No. : 9374

**MAIL STOP PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING  
I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail in  
an envelope addressed to: Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450, on December 8, 2006.

  
\_\_\_\_\_  
Attorney - Timothy W. Hagan Reg. No. 29,001

Sir:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

This is in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in  
the United States Designated/Elected Office (DO/EO/US) mailed 12/04/2006.

Applicants submit herewith a properly signed declaration in compliance with 37 CFR  
§1.497 (a) and (b). Also enclosed is a copy of the Notification of Missing Requirements (Form  
PCT/DO/EO/905).

The surcharge in the amount of \$130.00 as set forth in 37 CFR 1.492(e) is being  
submitted on the enclosed Credit Card Payment Form (PTO-2038).

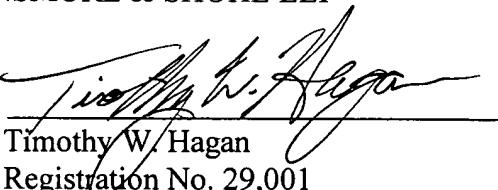
12/14/2006 MKAYPAGH 00000133 10576356

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130.00 OP

Respectfully submitted,  
DINSMORE & SHOHL LLP

By

  
\_\_\_\_\_  
Timothy W. Hagan  
Registration No. 29,001

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TWH/AMM  
Encls.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
For FY 2005** Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

**Complete if Known**

Application Number	10/576,356
Filing Date	04/17/2006
First Named Inventor	Richard R. Bott
Examiner Name	
Art Unit	
Attorney Docket No.	DOG 0101 PA/35319.68

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments  
under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity	
Fee (\$)	Fee (\$)

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 or HP =	_____ x _____	= _____				
HP = highest number of total claims paid for, if greater than 20						

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
_____ - 3 or HP =	_____ x _____	= _____	

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 =	_____ / 50 =	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

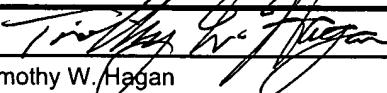
Non-English Specification, \$130 fee (no small entity discount)

Other: Late Oath or Declaration

Fees Paid (\$)

130.00

**SUBMITTED BY**

Signature		Registration No. 29,001 (Attorney/Agent)	Telephone (937) 449-6400
Name (Print/Type)	Timothy W. Hagan		Date 12/08/2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/576,356	Richard Bott	DOG 0101 PA/35319.68

Dinsmore & Shohl  
One Dayton Centre  
Some South Main Street  
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Dayton, OH 45402

TICKLER  
DEC 07 2006  
AMV  
AMV  
DOCKETEL

INTERNATIONAL APPLICATION NO.

PCT/US04/35686

I.A. FILING DATE	PRIORITY DATE
10/27/2004	10/27/2003

CONFIRMATION NO. 9374  
371 FORMALITIES LETTER



\*OC000000021442676\*

Date Mailed: 12/04/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/17/2006
- Copy of the International Search Report filed on 04/17/2006
- Preliminary Amendments filed on 04/17/2006
- Information Disclosure Statements filed on 07/31/2006
- U.S. Basic National Fees filed on 04/17/2006
- Priority Documents filed on 04/17/2006

COPY

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHELBY J VIGIL

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Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,356	PCT/US04/35686	DOG 0101 PA/35319.68

FORM PCT/DO/EO/905 (371 Formalities Notice)